

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGELA EATZ and BARBARA EATZ,

06 CV 4190 (DAB)(HP)

Plaintiffs,

-against-

IV FLUSH, LLC, PINNACLE MEDICAL
SUPPLY AND IVEDCO, LLC

Defendants.

**DEFENDANT IVEDCO LLC'S ANSWER AND DEFENSES TO THE CROSS-
CLAIMS OF IV FLUSH, LLC AND PINNACLE MEDICAL SUPPLY**

Defendant IVEDCO, LLC ("IVEDCO"), by its attorneys, Harris Beach PLLC, responds to the cross-claims asserted by co-defendants IV FLUSH, LLC and PINNACLE MEDICAL SUPPLY in this action as follows:

1. IVEDCO denies each and every allegation said to constitute a cross-claim against IVEDCO contained in the Amended Verified Answer To Plaintiffs' Second Supplemental Summons and Complaint, dated February 13, 2007 and respectfully refers all questions of law to this Honorable Court and all questions of fact to the trier thereof upon the trial of this action

AFFIRMATIVE DEFENSES

2. IVEDCO hereby incorporates by reference all of the defenses set forth in IVEDCO's Answer to plaintiff's Second Amended Complaint in this matter.

DEMAND FOR JURY TRIAL

IVEDCO LLC demands a trial by jury as to all issues so triable.

WHEREFORE, Defendant, IVEDCO LLC requests that this Court enter judgment in its favor dismissing the cross-claims with prejudice and awarding costs, and

awarding this answering defendant have judgment over and against defendants IV FLUSH, LLC and PINNACLE MEDICAL SUPPLY for all or a part of any verdict or judgment which may be obtained herein by the plaintiff against this answering defendant, together with costs and disbursements and other expenses incurred in defense of this action, and the cross-claims, including attorneys' fees, as well as any other relief to which this Court determines it may be entitled.

Dated: New York, New York
March 19, 2007

Respectfully submitted,

HARRIS BEACH PLLC

By: 

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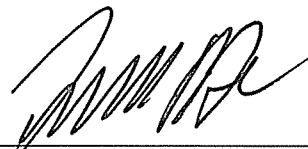
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served electronically via the Court's electronic filing system and via ordinary mail on the 19th day of March, 2007 upon the following:

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